

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

ANTHONY KENNEY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 06-CV-612-GKF-PJC
	)	
PCIDC STUDENT LOAN INC.,	)	
	)	
Defendants.	)	
	)	

**OPINION AND ORDER**

This matter comes before the Court on the Motion to Dismiss of PCIDC, Inc. (“PCIDC”) [Dkt. # 8].<sup>1</sup> The motion was filed by Ronald Davis (“Davis”), the Treasurer of PCIDC. Davis appeared pro se on behalf of the corporation. In his motion, Davis contends that this case should be dismissed based on res judicata, failure to join proper parties, failure to state a claim, expiration of the statute of limitations and laches.

“As a general matter, a corporation or other business entity can only appear in court through an attorney and not through a non-attorney corporate officer appearing pro se.” *Harrison v. Wahatoyas, LLC*, 253 F.3d 552, 556 (10th Cir. 2001); *See* L.Civ.R. 17.1 (“Parties who are not natural persons may not appear pro se”). This well settled rule has been recognized since the earliest days of our republic. *Osborn v. Bank of U.S.*, 22 U.S. 738, 830 (1824) (“A corporation, it is true, can appear only by attorney, while a natural person may appear for himself”). Some courts have gone so far as to find that any proceedings in which a pro se person represents a

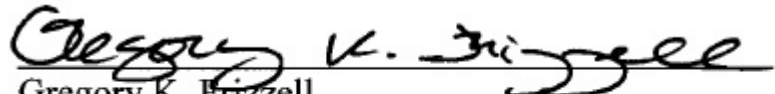
---

<sup>1</sup>Davis alleges there is no such entity as PCIDC Student Loan, Inc. PCIDC, Inc. (“PCIDC”), on behalf of whom Davis files the motion, is the assignee of Beech Truck Driver School which made a student loan to Kenney for the purpose of obtaining a commercial driver’s license.

corporation are a nullity and any judgment rendered therein is void. *Housing Authority of Cook County v. Tonsul*, 450 N.E.2d 1248 (Ill. App. Ct. 1983).

This Court may not hear PCIDC's motion on the merits. Since Davis may not appear pro se on behalf of PCIDC, the Motion to Dismiss [Dkt. # 8] is hereby **DENIED** without prejudice to its reassertion by counsel.

**IT IS ORDERED** this 2<sup>nd</sup> day of August 2007.

  
Gregory K. Frizzell  
United States District Judge  
Northern District of Oklahoma